

Form 03 - DOOR WITH MILITARY

FARUQI & FARUQI, LLP

U.S. SOUTHERN COURT

NEW YORK COUNTY

ATTN:

TODD BAZZINI ETAL

plaintiff

- against -

CLUB FIT MANAGEMENT, INC. ET AL

defendant

Index No. 08 CIV 4530

Date Filed

Office No.

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

TONY DONADIO being duly sworn, deposes and says: I am over 18 years of age, not a party to this action, and reside in the State of New York. That on the 20th day of May, 2008 08:30 AM at

494 ELIZABETH ROAD
YORKTOWN HEIGHTS, NY 10598

deponent attempted to make personal service of a true copy of the

SUMMONS AND COMPLAINT

JUDGES RULES

in the above entitled action upon **BETH BECK**

the **DEFENDANT** therein named. Deponent made prior diligent efforts to effect personal service upon the said **DEFENDANT**

at the above address, to wit: 05/17/2008 07:56 AM 05/19/2008 07:10 PM / /
Deponent spoke to "JANE" STARRA, NEIGHBOR AT 503 ELIZABETH RD. YORKTOWN HGTS. NY WHO REFUSED FIRST NAME who stated to deponent that said **DEFENDANT**

lived there, and had no knowledge of **DEFENDANT** place of employment or work habits.

That personal service could not be made with due diligence upon the said **DEFENDANT**

and therefore deponent on the 20th day of May, 2008 at 08:30 AM at the above address, served a true copy of the aforementioned document(s) herein upon the said **DEFENDANT**

BETH BECK

by affixing the same to the door of **DEFENDANT** said residence

since admittance could not be obtained upon reasonable application or a person of suitable age and discretion found who would receive same, true copy thereof.

On 06/03/2008 I deposited in the United States mail another true copy of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to the said **DEFENDANT** at the above address.

That address being last known residence, usual place of abode of the **DEFENDANT**.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns action against the person to be served. That at the time of service as aforesaid, I asked person spoken to whether the **DEFENDANT** was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid I aver that the **DEFENDANT** is not in the military service, and is not dependent on anyone in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to before me this
3rd day of June, 2008ni

JOEL GOLUB
Notary Public, State of New York
No. 01G04751136
Qualified in NASSAU COUNTY
Commission Expires 12/31/2009

TONY DONADIO
AETNA CENTRAL JUDICIAL SERVICES
225 BROADWAY, SUITE 1802
NEW YORK, NY, 10007
Reference No: 7FF7128520